

CITY OF LYNN

Regular City Council Meeting – December 8, 2015 Council President Daniel F. Cahill, Presiding

Ten Councillors Present (Councilor Crighton absent).

Moment of Silence – Councilor Barton asked that the fire victims of the Bruce Place be remembered. Councilor Lozzi asked that Fred and Maura Russell also be remembered in their prayers.

Pledge of Allegiance

Council President Cahill stated that Councilor Crighton will not be at tonight's meeting as he had a pre-planned event that he had to attend.

Motion made by Councilor Lozzi and seconded by Councilor Capano to accept the Meeting Minutes of November 17, 2015.

Motion carried.

Motion made by Councilor Colucci and seconded by Councilor Trahan to suspend the rules and allow Fire Chief James McDonald to update the Council on the recent fire on Bruce Place.

Motion carried.

COMMUNICATIONS:

Council Appointment of Michael Ouk to the Lynn Human Rights Commission effectively immediately, and will expire on September 26, 2016.

Motion made by Councilor Net and seconded by Councilor Capano to appoint Michael Ouk to the Lynn Human Rights Commission effective immediately and will expire on September 26, 2016.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Crighton absent).

Council Reappointment of Pamela Freeman to the Lynn Human Rights Commission effective immediately, and will expire on September 6, 2018.

Motion made by Councilor Hong and seconded by Councilor Trahan to Re-Appoint Pamela Freeman to the Lynn Human Rights Commission effective immediately and will expire on September 6, 2018.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Crighton absent).

PUBLIC HEARINGS:

Public Hearing to determine the percentages of the FY'2016 tax levy to be borne by each class of real and personal property.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Colucci and seconded by Councilor Cyr to set the rate with the lowest residential factor.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Crighton absent).

Petition of Handmade by 2 Moms, d/b/a Pure 7 Chocolate, Julie MacQueen, for permission for a Chocolate Manufacturing and online order business at 82 Sanderson Avenue.

The following appeared in Favor:

Julie MacQueen

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Cyr and seconded by Councilor Trahan to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Crighton absent).

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of Enma's Dry Cleaning and Tailoring, Enma Salvadore, for a sign permit at 98 Union Street. (Colucci)

-East Coast Karate & Aerobic Fitness Center, 312B Union Street (Chakoutis)

-The Neighborhood Restaurant Group, 38, 45 Lewis Street and 0 Blaisdell Terrace for permission for a Food Establishment where all Alcoholic Beverages in addition to food are served. (Cyr)

Motion made by Councilor Colucci and seconded by Councilor Trahan to set down for Public Hearings.

Motion carried.

COMMITTEE REPORTS:

Report of the December 8, 2015 Committee on Ordinance and Rules recommending the following to be accepted:

1. Discussion re: "Complete Streets Policy"
2. 40R Zoning
3. **OTHER BUSINESS:**

REPORT ACCEPTED.

Report of the December 8, 2015 Committee on Public Works recommending the following to be accepted:

1. Discussion re: Winter Operations
2. **OTHER BUSINESS**

REPORT ACCEPTED.

Report of the December 8, 2015 Committee on Ways & Means recommending the following to be accepted:

From the Account of the Reserve-Expense \$8,000 to the Account of Treasurer's Payroll O.T.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial transfer from the Account of the Reserve-Expense \$8,000 to the Account of Treasurer's Payroll O.T.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Crighton absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Crighton absent).

From the Account of Election Precinct-Payroll \$10,000.00 to the Account of City Clerk Longevity in the amount of \$3,000 and to the Account of City Clerk OT in the amount of \$7,000.00.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial transfer from the Account of Election Precinct-Payroll \$10,000.00 to the Account of City Clerk Longevity in the amount of \$3,000 and to the Account of City Clerk OT in the amount of \$7,000.00. THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Crighton absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Crighton absent).

From the Account of School Fine Arts Expense \$25,900.00

To the Account of ISD – School Expense.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial transfer from the Account of School Fine Arts Expense \$25,900.00 To the Account of ISD – School Expense.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Crighton absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Crighton absent).

Certify as Available Funds \$40,404.00 as allotted to the City of Lynn Police Department by the Metropolitan Planning Council (MAPC) for the FY'15 Pedestrian and Bicycle Traffic Enforcement Pilot Program Grant.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order certifying as Available Funds \$40,404.00 as allotted to the City of Lynn Police Department by the Metropolitan Planning Council (MAPC) for the FY'15 Pedestrian and Bicycle Traffic Enforcement Pilot Program Grant.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Crighton absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Crighton absent).

Certify as Available Funds \$8,476.00 from the Department of Early Education and Care (EEC) for the Massachusetts Kindergarten Entry Assessment Grant for FY'15/FY'16 School Year.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order certifying as Available Funds \$8,476.00 from the Department of Early Education and Care (EEC) for the Massachusetts Kindergarten Entry Assessment Grant for FY'15/FY'16 School Year THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Crighton absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Crighton absent).

Establish two revolving accounts for the purposes of tracking the city's Revenue and Expenses as it relates to the new Lynn Community TV Operations. The respective Revenue and Expense Accounts are going to be specific per Provider (Verizon and Comcast). These accounts (Revolving Funds) will be used at the Mayor's discretion.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order establishing two revolving accounts for the purposes of tracking the city's Revenue and Expenses as it relates to the new Lynn Community TV Operations. The respective Revenue and Expense Accounts are going to be specific per Provider (Verizon and Comcast). These accounts (Revolving Funds) will be used at the Mayor's discretion.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Crighton absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Crighton absent).

Ordered that the City Comptroller be and is hereby authorized to appropriate from FREE CASH the sum of THREE MILLION SIX HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$3,600,000.00) to reduce the FY'2016 Tax Levy.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order that the City Comptroller be and is hereby authorized to appropriate from FREE CASH the sum of THREE MILLION SIX HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$3,600,000.00) to reduce the FY'2016 Tax Levy.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

10 YES 0 NO (Councilor Crighton absent).

Emergency Order was then adopted by the following ye and nay vote:

10 YES 0 NO (Councilor Crighton absent).

Ordered that the Mayor and City Council hereby adopt the Snow and Ice Amortization Schedule pursuant to Chapter 10, Section 58 of the Acts of 2015 to address the FY'15 Snow and Ice Deficit in the amount of \$3,377,882.00.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order that the Mayor and City Council hereby adopt the Snow and Ice Amortization Schedule pursuant to Chapter 10, Section 58 of the Acts of 2015 to address the FY'15 Snow and Ice Deficit in the amount of \$3,377,882.00. The Snow and Ice Amortization Schedule for the out years is as follows: 2016= \$1,883,091.00; 2017= \$500,000.00; 2018= \$500,000.00 THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

10 YES 0 NO (Councilor Crighton absent).

Emergency Order was then adopted by the following ye and nay vote:

10 YES 0 NO (Councilor Crighton absent).

REPORT ACCEPTED.

Report of the December 8, 2015 Committee on Public Safety and Public Health recommending the following to be accepted:

Constable Appointments:

Jordan Avery, 95 Kings Hill Drive Lynn - **Granted**

Heather Scanlan, 108 Lynn Street, Peabody- **Granted**

REPORT ACCEPTED.

Report of the December 8, 2015 Committee on Licensing recommending the following to be accepted:

TAXI OPERATORS (NEW)

Collins Jr., Thomas E., 68 Whiting St. – **Granted with 30/60/90 Day Review and must bring paperwork from Court in by December 15, 2015.**

Hansen, Louis, 57 Broadway - **Granted**

TAXI OPERATOR- 30 DAY REVIEW

Benedetto, William, 10 Farrar St. Apt. #800 - **DENIED**

LIVERY SERVICE LICENSE (RENEWAL)

781 Limousines, LLC- Richard T. Brown- **Granted**

Brahim Livery, 58 Flint St.—Benouardia Brahim- **Granted**

MC Transportation, LLC – Michael P. Wilson- **Granted**

Smood Transportation, Inc., 271 Western Ave. #302 - **Granted**

TAXI MEDALLIONS RENEWAL (15 MEDALLIONS)

Union Taxi Inc., 202 Blossom St. Ext., Lynn, MA - **Granted**

OLD GOLD & SILVER-NEW OWNERS

1 Market Square, Market Square Too- **Granted**

32 Market Square, Market Square Emporium- **Granted**

OLD GOLD & SILVER-RENEWAL

51 Central Sq., Omar & Oscar- **Granted**

431 Lynnway, Empire Loan of Lynn Inc. - **Granted**

810 Lynnway, Eric Jeweler- **Granted**

810 Lynnway, Marcelino Jewelry- **Granted**

193 Union St., B & V Jewelry- **Granted**

PAWN BROKER LICENSE-NEW OWNERS

1 Market Square, Market Square Too- **Granted**

32 Market Square, Market Square Emporium- **Granted**

PAWN BROKER LICENSE-RENEWAL

51 Central Sq., Omar & Oscar- **Granted**

431 Lynnway, Empire Loan of Lynn, Inc. - **Granted**

810 Lynnway, Marcelino Jewelry- **Granted**

193 Union St., B & V Jewelry- **Granted**

SECOND HAND ARTICLE-NEW

810 Lynnway, Galactronica Electronic Store- **Granted**

32 Market Square, Market Square Emporium – *NEW OWNERS*- **Granted**

1 Market Square, Market Square Too – *NEW OWNERS*- **Granted**

SECOND HAND ARTICLE- RENEWAL

431 Lynnway, Empire Loan of Lynn, Inc. - **Granted**

810 Lynnway, Marcelino Jewelry- **Granted**

1 Market Street, The Vault Boutique- **Granted**

193 Union St., B & V Jewelry- **Granted**

SIGN-RENEWAL

19 Sutton St., Nike Africa Food Market- **Granted**

836 Western Ave., Alvin Barbershop- **Granted**

CLASS I AUTO DEALER/AUTO BODY/AUTO REPAIR/FLAMMABLE – TRANSFER

715 Lynnway – Pride Chevrolet, Inc. – (Transfer to New Owner) - **Granted**

CLASS I AUTO DEALER/AUTO REPAIR/FLAMMABLE – TRANSFER

777 & 793 Lynnway – Pride Hyundai of Lynn, Inc. dba Pride Kia – (Transfer to New Owner) - **Granted**

AUTO AUCTION DEALER/AUTO REPAIR/FLAMMABLE – RENEWAL

732R Lynnway – Coast Corp. dba Car Sales, Inc. - **Granted**

CLASS I AUTO DEALER/AUTO REPAIR/FLAMMABLE – RENEWAL

164 Blossom St. – Jim McLaughlin's Lynnway Truck Center- **Granted**

522 & 540 Lynnway – Kelly Automotive Group, Inc. dba Kelly Honda- **Granted**

CLASS II AUTO DEALER/AUTO BODY/AUTO REPAIR/FLAMMABLE – RENEWAL

71-79 Bennett St. – Saugus Auto Craft, Inc. - **Granted**

174 Broad St. – Olympic Auto Body & Sales, LLC- **Granted**

171 Commercial St. – Col-Craft, Inc. - **Granted**

295 Lynnway – Lynnway Auto Sales, Inc. - **Granted**

847-853 Lynnway – North Shore Group, LLC- **Granted**

CLASS II AUTO DEALER/AUTO REPAIR/FLAMMABLE – RENEWAL

164 Blossom St. – JEM Auto Sales- **Granted**

75 Boston St. – Boston St. Auto Sales, LLC- **Granted**

100 Central Ave. – Action Auto Sales, Inc. - **Granted**

350 Chestnut St. – Chestnut St. Motors- **Granted**

136 Cottage St. – Bay State Auto Service & Sales, LLC- **Granted**

100 Ford St. – Sooren Inc. dba Performance Auto Brokers- **Granted**

730R Lynnway – Coast Corp. dba Car Sales, Inc. - **Granted**

358 Summer St. – Commercial St. Auto, LLC- **Granted**

232-234 Western Ave. – A.J.'s Auto Sales, Inc. - **Granted**

921 Western Ave. – Point Auto Sales, Inc. - **Granted**

CLASS III AUTO DEALER/AUTO BODY/AUTO REPAIR/FLAMMABLE – RENEWAL

480 Lynnway – Harbor Auto Sales Co., Inc. - **Granted**

OTHER BUSINESS:

REPORT ACCEPTED.

Public Property and Parks Committee

Request from Parking Department to dispose of obsolete parking meter heads.- **Granted**

Discussion relative to License Agreements and Rates for the Wyoma Square Municipal Parking Lot:

Ordered that the Law Department draft License Agreements for the use of parking spaces and the placement of a Dumpster(s) at the Wyoma Square Municipal Parking Lot. Further Ordered that Her Honor the Mayor is hereby authorized to execute said License Agreements. Further Ordered that the Director of Inspectional Services Department is hereby authorized to establish Parking Rates at the Wyoma Street Municipal Parking Lot and said Rates shall be established in the manner to recover costs associated with expanding said lot.

Councillor Colucci attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order that the Law Department draft License Agreements for the use of parking spaces and the placement of a Dumpster(s) at the Wyoma Square Municipal Parking Lot. Further Ordered that Her Honor the Mayor is hereby authorized to execute said License Agreements. Further Ordered that the Director of Inspectional Services Department is hereby authorized to establish Parking Rates at the Wyoma Street Municipal Parking Lot and said Rates shall be established in the manner to recover costs associated with expanding said lot.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Crighton absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Crighton absent).

REPORT ACCEPTED.

Motion made by Councillor Colucci and seconded by Councillor Capano to adjourn.

Notice of this meeting was posted in the City Clerk's Office at least forty-eight (48) hours in advance.

A True Copy Attest:

CITY CLERK